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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,926	05/04/2001	Markus Graler	101195-45	7274

27387 7590 09/05/2003  
BRUCE LONDA  
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220 EAST 42ND STREET, 30TH FLOOR  
NEW YORK, NY 10017

EXAMINER

BUNNER, BRIDGET E

ART UNIT PAPER NUMBER

1647

DATE MAILED: 09/05/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/786,926		Graler et al.	

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## Commissioner for Patents

The reply filed on 26 June 2003 (Paper No. 14) is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

**(1)** New claims 22-26 are directed to an invention that is patentably distinct from the invention that was already examined. For example, the originally examined claims recited a human G-protein coupled receptor EDG6, a DNA sequence encoding EDG6, vectors, host cells, and use of the EDG6 receptor for therapeutic methods and treatments. The new claims recite a method for determining the presence of leukocytes in a cell and/or tissue sample comprising obtaining a sample from a subject, obtaining RNA from cell and/or tissue, and performing a Northern blot analysis of said RNA. Applicant is required to have pending claims directed to the originally elected invention.

**(2)** This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). Specifically, the specification discloses primer sequences at pages 10-12 that are not accompanied by the required reference to the relevant sequence identifiers. This application fails to comply with the requirements of 37 CFR 1.821 through 1.825. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825). Sequence issues cannot be held in abeyance.

See 37 CFR 1.111.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bridget E. Bunner whose telephone number is (703) 305-7148. The examiner can normally be reached on 8:30-5:30 M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Kunz can be reached on (703) 308-4623. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 308-4242 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

*Elizabeth C. Kemmerer*

BEB

Art Unit 1647

25 August 2003

ELIZABETH KEMMERER  
PRIMARY EXAMINER